

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

Mary Mullany

Plaintiff,

v.

**Wyeth, Inc.; Wyeth Pharmaceuticals, Inc.; Wyeth-Ayerst
International, Inc.; and Interneuron Pharmaceuticals, Inc.**

Defendants.

**CIVIL ACTION
NO. 04-11375 GAO**

**AMENDED NOTICE OF ORDER REFERRING REMAND MOTIONS IN
DIET DRUG CASES TO A SINGLE JUDGE FOR DECISION**

This case is one of over 200 diet drug cases originally filed on behalf of approximately 4,500 plaintiffs in state court in Middlesex County, Massachusetts. Wyeth is in the process of removing all of these diet drug cases to the federal court.

In the first of these cases -- *Andrus, et al v. Indevus Pharm., Inc., et al.* -- Wyeth filed a Notice of Removal on May 7, 2004. Because the anticipated remand motions in *Andrus* and this and the other diet drug cases likely will raise similar, if not identical issues, Wyeth filed in *Andrus* a Motion to Refer Decision of Remand Motions in All Diet Drug Cases to a Single Judge for Decision. On May 19, 2004, the court (O'Toole, J.) entered an order granting Wyeth's motion.

Respectfully submitted this 1st day of July, 2004.

/s/ Janice W. Howe
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*Counsel for Defendants Wyeth, Inc.,
Wyeth Pharmaceuticals, Inc., and
Wyeth-Ayerst International, Inc.*

CERTIFICATE OF SERVICE

This is to certify that I have this day served Amended Notice of Order Referring Remand Motions in Diet Drug Cases to a Single Judge for Decision upon all parties to the above-captioned action by hand to the following:

By Hand

Michael R. Hugo (BBO #243890)
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Counsel for Plaintiff

By Hand

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Counsel for Defendant Indevus Pharmaceuticals, Inc., F/K/A Interneuron Pharmaceuticals, Inc.

This 1st day of July, 2004.

/s/ Janice W. Howe

Janice W. Howe
*Counsel for Defendants Wyeth, Inc.,
Wyeth Pharmaceuticals, Inc.,
and Wyeth-Ayerst International, Inc.*